

PSYCHIATRIC INCARCERATION

ADVOCACY & SUPPORT
POCKET GUIDE

Project LETS

UNTIL
WE'RE ALL FREE

So, you (or someone you know) is being held in a facility against your/their will...

This small, pocket-sized zine doesn't pretend to have answers, just places to start.

The laws around psychiatric incarceration vary WIDELY between states, and even then, each facility within states is radically different from the others. Each situation is unique, so there is no prescriptive method of advocacy towards release.

Beyond knowing resources and rights (and their flaws), often, the most supportive thing is to not be alone in an impossible situation. Carceral walls and locked doors are most effectively broken by community, solidarity, and relationships where nobody is left behind.



Making impossible decisions

The decision of whether to "comply" or try to assert your rights/advocate for yourself can sometimes feel impossible. We are often asked, "which path will get me out the fastest?". The difficult answer is that it is nearly impossible to know, and it's sometimes a roll of the dice.

Simply advocating for yourself could be seen as part of a pathology, and used as reason to keep you longer. But in other cases, self-advocacy and advocacy from external supports can significantly shorten the length of incarceration.

It can often be supportive to strategize and troubleshoot 1:1 with psychiatric survivors who are informed by their personal and advocacy experience. On the back of this zine is our rapid response line that provides this type of support.

Are you there on a "voluntary" or involuntary basis?

"Voluntary" and "involuntary" are legal distinctions that may impact your rights and protections. These rights and protections vary significantly between states.

Typically (according to **most** but not all states), if you are there involuntarily, the hospital must make a decision whether to file for commitment in court or release you after a certain number of hours (typically 72, but in some states, up to 10 days). If you are there voluntarily, there is no timeline for length of stay. The clock typically starts only when you establish your involuntary status (either by signing a notice or never agreeing to voluntary treatment in the first place). Previous days/hours spent 'voluntarily' **typically** do not count.

seeking advocacy and/or legal supports and information about rights:

What is your state Protection & Advocacy (P&A) Agency?

Is there a patient advocate you can request to speak to?

Leveraging authority

Once you are deemed "crazy" you have less power. Anything you say may be considered unreliable or less reliable. Do you have someone in your life that can advocate on your behalf that has more authority? They don't need to be a clinician, they can be a family member, sometimes even a friend.

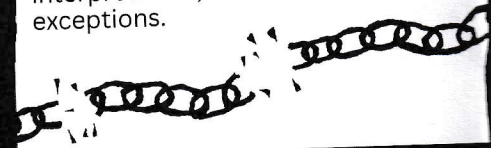
**note that you may need to sign a release to allow the 'treatment team' to talk to someone about your 'care'*

Does your state guarantee you specific rights?

Often you are entitled to rights as a patient in a facility. It is important to know your rights. They are often posted on the walls, but if not, ask to be informed of your rights.

Know their flaws.

Rights are often violated. Some facilities cite "hospital policy" as reason to violate rights. Rights are very hard to enforce, meaning facilities often go unchecked. The way that rights are (poorly) written in law also often leave room for interpretation, flexibility, or exceptions.



**Know Your Rights,
Know Their Flaws**

Document, and ask for documentation

While you are in a facility against your will, there are many restrictions, and little is in your control. One way to take back power in your own way (if you choose) is to document rights violations and abuses.

Most states also entitle you to obtain copies of pertinent documents. This may include documents concerning your emergency hold or any petitions for involuntary commitment. These documents should include a time and date in which the hold started and may also include their reasoning/justification for the hold. Knowing what their reasoning/justifications are for the hold may support you in objecting to that or building a case/convincing them otherwise.

Project LETS

PSYCHIATRIC INCARCERATION
RAPID RESPONSE LINE

401 - 400 - 2905

M-Sat 10am-4pm ET

*Text or leave a
voicemail for
urgent support
with involuntary
hospitalization/
psychiatric
incarceration.*